

Sec.

- (f) Transfer of title to Secretary; payment from funds for administrative and legal costs; custody of property; compliance with health and environmental standards for uranium mill tailings; transfer of title restriction.
- (g) Reimbursement; fair market value; deposits in Treasury.
- (h) Subsurface mineral rights; sale, lease, or other disposition; restoration costs for disturbance of residual radioactive materials.
- 7915. Indian tribe cooperative agreements.
  - (a) Authority of Secretary; priorities for remedial action; use of Indian personnel; terms and conditions.
  - (b) Disposition and stabilization sites for residual radioactive materials; transfer to Secretary of the Interior.
- 7916. Acquisition of land by Secretary; transfer of public lands by Secretary of the Interior to Secretary; consultations with Governor; consent of Governor; transfer from Federal agency to Secretary.
- 7917. Financial assistance.
  - (a) Federal and non-Federal funds; administrative costs.
  - (b) Indian land processing sites.
- 7918. Remedial action and mineral recovery activities.
  - (a) General standards for remedial action; Federal performance and State participation; use of technology; promulgation of standards.
  - (b) Mineral concentration evaluation; terms and conditions for mineral recovery; payment of Federal and State share of net profits recovery costs; licenses.
- 7919. Rules.
- 7920. Enforcement.
  - (a) Civil penalty; appellate review; action to recover civil penalty; sovereign immunity; equitable remedies.
  - (b) Atomic energy licensing requirements.
- 7921. Public participation; public hearings.
- 7922. Termination of authority of Secretary.
  - (a) Exceptions; "byproduct material" defined.
  - (b) Authorization of appropriations.
- 7923. Limitation of contractual authority.
- 7924. Reports to Congress.
  - (a) Information; consultations; separate official views; partial report concerning uranium mill tailings provisions.
  - (b) Identification of sites; Federal agency jurisdiction; contents; duplication prohibition; use and cooperation respecting other Federal agency information.
  - (c) Uranium mine wastes hazards elimination program.
  - (d) Reports to Congressional committees.
  - (e) Documentation of information; public availability; trade secrets and other disclosure exempt information.
- 7925. Active operations; liability for remedial action.

Sec.

# SUBCHAPTER II—STUDY AND DESIGNATION OF TWO MILL TAILING SITES IN NEW MEXICO

- 7941. Study of authority for regulation and control of residual radioactive materials at New Mexico sites for protection of public health, safety, and the environment; report to Congress and Secretary; basis for determination of inadequacy of authority; interim regulation pending completion of study.
- 7942. Designation by Secretary as processing sites for subchapter I purposes.
  - (a) New Mexico cooperative agreement respecting certain residual radioactive materials; submission to Congressional committees.
  - (b) Effective date.
  - (c) Subchapter I provisions applicable.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 2296a-3 of this title; title 30 section 1240a.

## § 7901. Congressional findings and purposes

(a) The Congress finds that uranium mill tailings located at active and inactive mill operations may pose a potential and significant radiation health hazard to the public, and that the protection of the public health, safety, and welfare and the regulation of interstate commerce require that every reasonable effort be made to provide for the stabilization, disposal, and control in a safe and environmentally sound manner of such tailings in order to prevent or minimize radon diffusion into the environment and to prevent or minimize other environmental hazards from such tailings.

(b) The purposes of this chapter are to provide—

(1) in cooperation with the interested States, Indian tribes, and the persons who own or control inactive mill tailings sites, a program of assessment and remedial action at such sites, including, where appropriate, the reprocessing of tailings to extract residual uranium and other mineral values where practicable, in order to stabilize and control such tailings in a safe and environmentally sound manner and to minimize or eliminate radiation health hazards to the public, and

(2) a program to regulate mill tailings during uranium or thorium ore processing at active mill operations and after termination of such operations in order to stabilize and control such tailings in a safe and environmentally sound manner and to minimize or eliminate radiation health hazards to the public.

(Pub. L. 95-604, § 2, Nov. 8, 1978, 92 Stat. 3021.)

## REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original "this Act", meaning Pub. L. 95-604, Nov. 8, 1978, 92 Stat. 3021, as amended, known as the Uranium Mill Tailings Radiation Control Act of 1978. For complete classification of this Act to the Code, see Short Title note below and Tables.

## SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-616, § 1, Nov. 5, 1988, 102 Stat. 3192, provided: "That this Act [amending sections 7916 and 7922 of this title] may be cited as the 'Uranium Mill Tailings Remedial Action Amendments Act of 1988'."